



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/925,315

08/10/2001

Akitaka Yajima

110344

4767

25944

7590

08/20/2003

OLIFF & BERRIDGE, PLC
P.O. BOX 19928
ALEXANDRIA, VA 22320

EXAMINER

STEVENSON, ANDRE C

ART UNIT

PAPER NUMBER

2812

DATE MAILED: 08/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/925,315

Applicant(s)

YAJIMA ET AL.

Examiner

Andre' C. Stevenson

Art Unit

2812

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 13 and 14 is/are rejected.
- 7) ☒ Claim(s) 2 and 12 is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☒ received.
2. ☐ received in Application No. (Series Code / Serial Number) ____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____.

Detail Action

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 09925315, filed on August 10, 2001.

Applicant argues that the search and examination of the entire application could be made without serious burden.

Examiners Answer: Examiner submits that because the restricted claims have different features than the elected claims, it would be a serious burden on the examiner to incorporate a search that would include all the non-elected subject matter.

Claims 3 through 11 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in Paper No. 11.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 13 & 14 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Sugawara et al (U.S. Pat. No.6481854 B1).

Sugawara et al (U.S. Pat. No.6481854 B1), for **Claim 1**, a liquid crystal light valve that modulates incident light in accordance with image information, comprising: a liquid crystal panel; and at least two polarizers provided at a light-exiting-surface side of the liquid crystal panel (**Column 20, lines 52 through 67, Column 21, lines 1 through 21, Fig. 1 items 21 & 22**). Examiner notes that although the applicant has claimed two polarizers at this location, the specifications has indicated that the two polarizers are identical; thus this would have the effect as one polarizer of the same thickness. Examiner also notes that there were no indication in the specification to define any defining features of the two polarizers that would indicate any difference; on the contrary, the specification says that "the structure of the polarization conversion element array 362 is exactly the same as that of the polarization conversion element array 361, and thus it will not be described in further detail".

With respect to **Claim #13**, a projector, comprising: the liquid crystal light valve according to Claim 1; and a color light separation optical system that separates corresponding color light beams of three colors, is taught by Sugawara et al (U.S. Pat. No.6481854 B1) (Column 1, lines 13 through 25 Column 7, lines 18 through 33).

With respect to **Claim #14**, according to Claim 13, the liquid crystal light valve including at least a red-light liquid crystal light valve and a blue-light liquid crystal light valve that include $k/2$ retardation films, is taught by Sugawara et al (U.S. Pat. No.6481854 B1) (Column 1, lines 13 through 25 Column 7, lines 18 through 33).

Objections

Claim #2

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim #2 states a polarization degree of a first polarizer of the at least two polarizers that is closer to the light exiting-surface side of the liquid crystal panel being lower than a polarization degree of a second polarizer of the at least two polarizers. However, the specification states that the structure of the polarization conversion element array 362 is exactly the same as that of the polarization conversion element array 361, and thus it will not be described in further detail. Further clarification, within the specification, of the stated claim is requested by examiner.

Objected Claims

Claim #12 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2812

Claim #12

- ✓ The first and second polarizers being spatially separated by a gap, such that the at least one of the cooling gas and the cooling liquid being allowed to pass through the gap.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre' Stevenson whose telephone number is (703) 308 6227. The examiner can normally be reached on Monday through Friday from 7:30 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Niebling, can be reached on (703) 308 3325. The fax phone number for the organization where this application or proceeding is assigned is (703) 308 7724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308 0956. Also, the proceeding numbers can be used to fax information through the Right Fax system;

- TC2800 Official Before-Final RightFAX - **(703) 746-8802**
- TC2800 Official After-Final RightFAX - (703) 872-9319
- TC2800 Customer Service RightFAX - (703) 872-9317

Application/Control Number: 09/925,315
Art Unit: 2812

Page 6

Andre' Stevenson

Art Unit 2812

08/06/03

NATHAN J. FLYNN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

